



House of Representatives

General Assembly

File No. 682

January Session, 2011

House Bill No. 6636

House of Representatives, May 2, 2011

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING CHILDREN CONVICTED AS DELINQUENT WHO ARE COMMITTED TO THE CUSTODY OF THE COMMISSIONER OF CHILDREN AND FAMILIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-7a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 (a) The Commissioner of Children and Families shall adopt
4 regulations, in accordance with chapter 54, [setting] to establish
5 standard leave and release policies for juvenile delinquents committed
6 to the Department of Children and Families and assigned to state
7 facilities and private residential programs. Such regulations shall
8 provide that juvenile delinquents shall not be eligible for:

9 (1) Any leave without an initial sixty-day evaluation of fitness and
10 security risk, including a trial leave not exceeding one day; or [. Such
11 regulations shall provide that juvenile delinquents shall not be eligible
12 for any]

13 ~~(2) Any leave or release without [(1)] (A) an evaluation of fitness~~
14 ~~and security risk, [(2)] (B) the assignment of supervision and clear~~
15 ~~identification of custody of a parent, legal guardian or other~~
16 ~~responsible adult, [(3)] (C) confidential notification of local police for a~~
17 ~~leave or release granted to a serious juvenile offender, and [(4)] (D) a~~
18 ~~determination of eligibility immediately prior to granting the leave or~~
19 ~~release of a delinquent.~~

20 (b) The commissioner may waive the requirement for a sixty-day
21 evaluation of fitness and security risk pursuant to subdivision (1) of
22 subsection (a) of this section for a juvenile delinquent who is
23 transferred from one facility to another if the juvenile delinquent has
24 had a satisfactory sixty-day evaluation of fitness and security risk
25 pursuant to said subdivision.

26 Sec. 2. Section 17a-3 of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective October 1, 2011*):

28 (a) The department shall plan, create, develop, operate or arrange
29 for, administer and evaluate a comprehensive and integrated
30 state-wide program of services, including preventive services, for
31 children and youths whose behavior does not conform to the law or to
32 acceptable community standards, or who are mentally ill, including
33 deaf and hearing impaired children and youths who are mentally ill,
34 emotionally disturbed, substance abusers, delinquent, abused,
35 neglected or uncared for, including all children and youths who are or
36 may be committed to it by any court, and all children and youths
37 voluntarily admitted to, or remaining voluntarily under the
38 supervision of, the commissioner for services of any kind. Services
39 shall not be denied to any such child or youth solely because of other
40 complicating or multiple disabilities. The department shall work in
41 cooperation with other child-serving agencies and organizations to
42 provide or arrange for preventive programs, including, but not limited
43 to, teenage pregnancy and youth suicide prevention, for children and
44 youths and their families. The program shall provide services and
45 placements that are clinically indicated and appropriate to the needs of

46 the child or youth. In furtherance of this purpose, the department
47 shall: (1) Maintain the Connecticut Juvenile Training School and other
48 appropriate facilities exclusively for delinquents; (2) develop a
49 comprehensive program for prevention of problems of children and
50 youths and provide a flexible, innovative and effective program for the
51 placement, care and treatment of children and youths committed by
52 any court to the department, transferred to the department by other
53 departments, or voluntarily admitted to the department; (3) provide
54 appropriate services to families of children and youths as needed to
55 achieve the purposes of sections 17a-1 to 17a-26, inclusive, 17a-28 to
56 17a-49, inclusive, and 17a-51; (4) establish incentive paid work
57 programs for children and youths under the care of the department
58 and the rates to be paid such children and youths for work done in
59 such programs and may provide allowances to children and youths in
60 the custody of the department; (5) be responsible to collect, interpret
61 and publish statistics relating to children and youths within the
62 department; (6) conduct studies of any program, service or facility
63 developed, operated, contracted for or supported by the department in
64 order to evaluate its effectiveness; (7) establish staff development and
65 other training and educational programs designed to improve the
66 quality of departmental services and programs, provided no social
67 worker trainee shall be assigned a case load prior to completing
68 training, and may establish educational or training programs for
69 children, youths, parents or other interested persons on any matter
70 related to the promotion of the well-being of children, or the
71 prevention of mental illness, emotional disturbance, delinquency and
72 other disabilities in children and youths; (8) develop and implement
73 aftercare and follow-up services appropriate to the needs of any child
74 or youth under the care of the department; (9) establish a case audit
75 unit to monitor each area office's compliance with regulations and
76 procedures; (10) develop and maintain a database listing available
77 community service programs funded by the department; (11) provide
78 outreach and assistance to persons caring for children whose parents
79 are unable to do so by informing such persons of programs and
80 benefits for which they may be eligible; and (12) collect data sufficient

81 to identify the housing needs of children served by the department
82 and share such data with the Department of Economic and
83 Community Development.

84 (b) (1) The department, with the assistance of the State Advisory
85 Council on Children and Families, and in consultation with
86 representatives of the children and families served by the department,
87 providers of services to children and families, advocates, and others
88 interested in the well-being of children and families in this state, shall
89 develop and regularly update a single, comprehensive strategic plan
90 for meeting the needs of children and families served by the
91 department. In developing and updating the strategic plan, the
92 department shall identify and define agency goals and indicators of
93 progress, including benchmarks, in achieving such goals. The strategic
94 plan shall include, but not be limited to: (A) The department's mission
95 statement; (B) the expected results for the department and each of its
96 mandated areas of responsibility; (C) a schedule of action steps and a
97 time frame for achieving such results and fulfilling the department's
98 mission that includes strategies for working with other state agencies
99 to leverage resources and coordinate service delivery; (D) priorities for
100 services and estimates of the funding and other resources necessary to
101 carry them out; (E) standards for programs and services that are based
102 on research-based best practices, when available; and (F) relevant
103 measures of performance.

104 (2) The department shall begin the strategic planning process on
105 July 1, 2009. The department shall hold regional meetings on the plan
106 to ensure public input and shall post the plan and the plan's updates
107 and progress reports on the department's web site. The department
108 shall submit the strategic plan to the State Advisory Council on
109 Children and Families for review and comment prior to its final
110 submission to the General Assembly and the Governor. On or before
111 July 1, 2010, the department shall submit the strategic plan, in
112 accordance with section 11-4a, to the General Assembly and the
113 Governor.

114 (3) The commissioner shall track and report on progress in
 115 achieving the strategic plan's goals not later than October 1, 2010, and
 116 quarterly thereafter, to said State Advisory Council. The commissioner
 117 shall submit a status report on progress in achieving the results in the
 118 strategic plan, in accordance with section 11-4a, not later than July 1,
 119 2011, and annually thereafter to the General Assembly and the
 120 Governor.

121 [(c) The department shall prepare a plan to keep children who are
 122 convicted as delinquent and will be committed to the Department of
 123 Children and Families and placed in the Connecticut Juvenile Training
 124 School in such facility for at least one year after their referral to the
 125 department, which plan shall include provisions for development of a
 126 comprehensive approach to juvenile rehabilitation.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	17a-7a
Sec. 2	<i>October 1, 2011</i>	17a-3

JUD *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which (a) allows the Commissioner of Children and Families to waive a 60-day evaluation of fitness and security risk in certain cases for delinquent children, and (b) eliminates a planning requirement, does not result in a fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 6636*****AN ACT CONCERNING CHILDREN CONVICTED AS DELINQUENT WHO ARE COMMITTED TO THE CUSTODY OF THE COMMISSIONER OF CHILDREN AND FAMILIES.*****SUMMARY:**

This bill allows some detained juvenile delinquents to qualify for leaves and releases earlier than they would otherwise. Under existing Department of Children and Families (DCF) regulations, delinquent children cannot be granted leaves or releases unless they have satisfactorily completed a 60-day evaluation of fitness and security risk.

The bill allows the DCF commissioner to waive this requirement when a delinquent who transferred from one facility to another satisfactorily completed the evaluation at the facility from which he or she transferred.

The bill also eliminates a requirement that DCF prepare a plan to establish a mandatory one-year term at the Connecticut Juvenile Training School and develop a comprehensive approach to juvenile rehabilitation.

EFFECTIVE DATE:

October 1, 2011

COMMITTEE ACTION

Judiciary Committee

Joint Favorable

Yea 45 Nay 0 (04/15/2011)